

STATE OF VERMONT
PUBLIC SERVICE BOARD

Docket No. 7544

Investigation into Compliance of Entergy)
Nuclear Vermont Yankee, LLC, and Entergy)
Nuclear Operations, Inc., with Surveillance and)
Reporting Requirements for Dry-Fuel-Storage)
Facility at Vermont Yankee Nuclear Power)
Station)

Order entered: 8/14/2009

PREHEARING CONFERENCE MEMORANDUM

I. INTRODUCTION

The Vermont Public Service Board ("Board") convened a prehearing conference in this proceeding on August 12, 2009. The following parties entered appearances: Nancy S. Malmquist, Esq., Downs Rachlin Martin, PLLC, for Entergy Nuclear Vermont Yankee, LLC, and Entergy Nuclear Operations, Inc. ("Entergy"); and John Cotter, Esq., and Sarah Hofmann, Esq., for the Vermont Department of Public Service ("Department"). Also present at the prehearing conference were: James Matteau, Executive Director, for the Windham Regional Commission; Kenneth C. Picton, Esq., for Central Vermont Public Service Corporation; Mary Morris, for Green Mountain Power Corporation; and George Clain, for IBEW Local No. 300.

II. SCHEDULE

The primary topic of discussion was the schedule for this proceeding. The New England Coalition ("NEC"), which was unable to attend the prehearing, filed a proposed schedule with the Board, along with its motion to intervene, on August 12, 2009.¹ Entergy distributed a proposed preliminary schedule to the parties, except for NEC, setting out the goal of the Department and Entergy to reach and file a settlement in this matter by September 25. The Department largely agreed with Entergy's proposed schedule, but with the recommendation that Entergy file

1. NEC's filings were submitted to the Board electronically.

testimony prior to the initiation of settlement negotiations which would result in extending the deadline for filing the settlement. No objections to Entergy's proposed schedule were noted from the other parties.

After discussion with the parties, we establish a modified preliminary schedule set forth below which provides the parties and Entergy with additional time to negotiate a settlement, setting a status conference date for September 30 to consider the establishment of the remainder of the schedule based upon the results of those negotiations.

August 12, 2009	Prehearing Conference
September 1, 2009	Deadline for Intervention Motions (Motions may be filed at any time prior to the deadline. Other parties shall file responses to such motions within 7-calendar days of the time the motion is filed.)
September 4, 2009	Entergy testimony due
September 30, 2009	Status Conference at 1:30 P.M.

III. NEC MOTION TO INTERVENE

NEC filed a Motion to Intervene in advance of the prehearing conference. At the conference, no party objected to the Board granting the motion and the Board granted permissive intervention to NEC. NEC's intervention shall be limited to the interests it has identified in its motion.

IV. FILING OF DOCUMENTS

Parties shall file an original and seven (7) copies of all documents (rather than the original and six copies normally required). In addition, parties must provide an electronic copy of all testimony, motions and responses, and briefs (e-mail submission is acceptable). If the electronic filings are submitted in .pdf format, they must be submitted in a form that permits the Board and other parties to search the document and extract text.

So ORDERED.

Dated at Montpelier, Vermont, this 14th day of August, 2009.

<u>s/James Volz</u>)	
)	PUBLIC SERVICE
)	
<u>s/David C. Coen</u>)	BOARD
)	
)	OF VERMONT
<u>s/John D. Burke</u>)	

OFFICE OF THE CLERK

FILED: August 14, 2009

ATTEST: s/Susan M. Hudson
Clerk of the Board

NOTICE TO READERS: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: psb.clerk@state.vt.us)